

OPINION

(32)
6-21-02
SC

UNITED STATES DISTRICT COURT
 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
 (Harrisburg Division)

FILED
HARRISBURG, PA

UNITED STATES FIDELITY AND)
GUARANTY COMPANY,)
Plaintiff)
)
v.)
)
BRUCE J. BROWN and)
BROWN SCHULTZ SHERIDAN &)
FRITZ,)
Defendants)
)

 MARY E. MANGERA, CLERK
 Per _____ Deputy Clerk
JULY 2 2002
CIVIL ACTION NO. 1:01-CV-00813

JUDGE KANE

MAGISTRATE SMYSER

STATEMENT REGARDING DISCOVERY MOTION

Pursuant to Local Rule 26.3, counsel for defendants, Bruce Brown and Brown Schultz Sheridan & Fritz, states that prior to filing the motion to compel production of documents it attempted in good faith to resolve the relevant issues. On May 8 and 15, 2002, counsel sent letters to plaintiff's counsel including citation of legal authority, in support of its position regarding the relevance and non-privilege nature of the documents sought. Plaintiff responded declining to produce the requested

documents as well as a privilege log. In addition, numerous telephone discussion have been held to attempt to resolve the issues. While plaintiff's counsel indicated USF&G might be willing to consider production of certain of the requested documents, plaintiff's counsel has not responded with regard to whether such documents would be produced.

SWARTZ, CAMPBELL & DETWEILER

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Dated: June 19, 2002